

Serial No. 10/781284

- 3 -

Art Unit: 2665

In the claims:

1. (currently amended) Apparatus ~~for use by~~ included in a wireless device in a wireless communications environment including multiple access points and stations, wherein stations gain network access by associating with one of the access points, comprising:
  - logic for associating the wireless device with a current access point;
  - logic for ascertaining whether the wireless device should attempt to associate with ~~another~~ an alternative access point, the ascertaining based at least in-part on signal strengths of transmissions from the current and alternative access points; and
  - logic for requesting association with the ~~another~~ alternative access point if it is ascertained that the wireless device should attempt to associate with said alternative access point.
2. (original) The apparatus of claim 1 further comprising:
  - logic for automatically collecting information about other access points.
3. (currently amended) The apparatus of claim 2 wherein the logic for ascertaining ascertains that the wireless device should attempt to associate with ~~another~~ the alternative access point if the alternative access point is closer than the current access point.
4. (currently amended) The apparatus of claim 3 wherein the logic for ascertaining ascertains that the access point is closer than the current access point by:
  - calculating a first biased distance between the wireless device and the current access point based on "x" samples;

Serial No. 10/781284

- 4 -

Art Unit: 2665

calculating a second biased distance between the wireless device and the alternative access point ~~operating on said another channel~~ based on "y" samples where "y" is less than "x"; and ascertaining that the alternative access point ~~operating on said another channel~~ is closer than the current access point if the second biased distance is less than the first biased distance.

5. (currently amended) The apparatus of claim 3 wherein the logic for requesting association requests association by sending a message to the alternative access point.

6. (new) Apparatus included in a wireless station in a wireless communications environment, the method comprising the steps of:

logic operable to associate the station with a first access point on a first channel;

logic operable to determine whether a second access point would provide a greater data rate than the first access point, where the respective data rates providable by the first and second access points are non-zero; and

logic operable to request association with the second access point if it is determined that the second access point would provide a greater data rate than the first access point.

7. (new) The apparatus of claim 6 wherein the second access point operates on the first channel.

8. (new) The apparatus of claim 6 wherein the second access point operates on a second channel.

Serial No. 10/781284

- 5 -

Art Unit: 2665

9. (new) The apparatus of claim 6 wherein the logic operable to determine whether the second access point would provide a greater data rate than the first access point employs, at least in-part, signal strength of transmissions from the first and second access points.

10. (new) The apparatus of claim 6 wherein the logic operable to determine whether the second access point would provide a greater data rate than the first access point employs, at least in-part, an indication of loading advertised by the first and second access points.